

**PATENT ASSIGNMENT**

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<b>SUBMISSION TYPE:</b>	NEW ASSIGNMENT
<b>NATURE OF CONVEYANCE:</b>	ASSIGNMENT
<b>CONVEYING PARTY DATA</b>	
<b>Name</b>	<b>Execution Date</b>
Michael F. Hoey	06/25/2001
Corbett W. Stone	06/18/2001
Kevin T. Foley	07/01/2001
<b>RECEIVING PARTY DATA</b>	
<b>Name:</b>	NuVasive, Inc.
<b>Street Address:</b>	7475 Lusk Blvd.
<b>City:</b>	San Diego
<b>State/Country:</b>	CALIFORNIA
<b>Postal Code:</b>	92121
<b>PROPERTY NUMBERS Total: 2</b>	
<b>Property Type</b>	<b>Number</b>
<b>Application Number:</b>	13221192
<b>Application Number:</b>	12609004
<b>CORRESPONDENCE DATA</b>	
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<b>ATTORNEY DOCKET NUMBER:</b>	059US4; 059US5
<b>NAME OF SUBMITTER:</b>	Rory Schermerhorn
Total Attachments: 1 source=059US4_assignment_8-29-11#page1.tif	

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**PATENT**  
**REEL: 026830 FRAME: 0661**

ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, MICHAEL F. HOEY, of 2735 Pond Drive, Shoreview, MN 55126; CORBETT W. STONE, of 12212 Misty Blue Court, San Diego, CA 92131; KEVIN T. FOLEY, of 2877 Keasler Circle West, Germantown, TN 38139; JAMES F. MARINO, of 2620 St. Tropez Place, La Jolla, CA 92037; hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: TISSUE DISCRIMINATION AND APPLICATIONS IN MEDICAL PROCEDURES

Date(s) of execution of Declaration: 6/25/01, 6/18/01, & 7/1/01

Filing Date: May 18, 2001

Application No.: 09/860,648; and

WHEREAS, NuVasive, Inc., a corporation of the state of Delaware, located at 10065 Old Grove Road, San Diego, CA. 92131, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same:

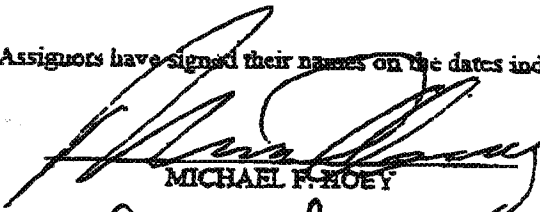
For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

Assignors hereby authorize and request Townsend and Townsend and Crew LLP, Two Embarcadero Center, 8<sup>th</sup> Floor, San Francisco, CA 94111-3834, to insert herein above the application number and filing date of said application when known.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Dated: 6/25/01

  
MICHAEL F. HOEY

Dated: 18 Jun 2001

  
CORBETT W. STONE

Dated: 7/1/01

  
KEVIN T. FOLEY